

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

U.S. BANK, N.A.,)	
)	
Plaintiff,)	8:11CV243
)	
vs.)	ORDER
)	
STACIA M. JARZOSKI,)	
)	
Defendant.)	

This matter is before the court on the plaintiff's consent to remand ([Filing No. 19](#)). This action was initially filed by the plaintiff in the County Court of Douglas County, Nebraska. **See** Filing No. 1 - [Ex. 2](#). On July 8, 2011, the plaintiff removed the action to this court stating federal question jurisdiction exists based on the defendant's counterclaims. **See** [Filing No. 1](#) - Notice of Removal. No party has moved for remand, however on October 12, 2011, the court entered an order sua sponte requiring the plaintiff to show cause why the case should be remanded for lack of subject matter jurisdiction because no diversity jurisdiction exists and the plaintiff lacked a statutory right to remove this matter based on a defense or counterclaim. **See** [Filing No. 18](#). In response, the plaintiff consents to remand of the action to the County Court of Douglas County, Nebraska. Accordingly,

IT IS ORDERED:

This case is hereby remanded to the County Court of Douglas County, Nebraska.

DATED this 2nd day of November, 2011.

BY THE COURT:

/s Joseph F. Bataillon
Joseph F. Bataillon, Chief Judge
District of Nebraska